

St. Louis City Ordinance 63691

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 362

INTRODUCED BY ALDERMAN MARTIE ABOUSSIE

An ordinance recommended by the Board of Public Service to vacate the public rights of the City of St. Louis in, on, under and above a 30 foot right-of-way in City Block 2016 and being a part of former Commercial Street and being bounded by Dorcas (vacated) and Union Pacific (formerly Missouri-Pacific) Railroad in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: The public rights of the City of St. Louis in, on, under and above the following described right-of-way:

A tract of land being part of Commercial (40 foot wide) Street, as vacated by Ordinance Number 44408 in the City of St. Louis, Missouri Records, reserved for use by the City of St. Louis and the St. Louis Transfer Railway Company by Ordinance Number 29617 in the City of St. Louis, Missouri Records, located in U.S. Survey Number 99, City Block 2016 (formerly City Block 2013) of the City of St. Louis, Missouri, being 30 feet in width, and more particularly described as follows:

Beginning at the intersection of the southeasterly right-of-way line of 2nd (60 foot wide) Street with the southwesterly line of Dorcas (60 foot wide) Street, said Dorcas Street being vacated by Ordinance Number 56799 and amended by affidavit filed in Deed Book 3453, page 17 of the St. Louis City Records; thence north 52 degrees 54 minutes 30 seconds east, perpendicular to the southwesterly line of said vacated Dorcas Street, a distance of 30.00 feet to a point on the centerline of said vacated Dorcas Street; thence south 37 degrees 06 minutes 30 seconds east, along the centerline of said vacated Dorcas Street, a distance of 1199.07 feet to a point; thence south 47 degrees 53 minutes 31 seconds west, a distance of 30.12 feet to a point on the aforementioned southwesterly right-of-way line of Dorcas (60 foot wide) Street, and the point of beginning on the herein described tract; thence south 37 degrees 06 minutes 30 seconds east, along said southwesterly line of vacated Dorcas Street, a distance of 30.11 feet to a point; thence south 47 degrees 53 minutes 31

seconds west, a distance of 137.25 feet to a point of curvature; thence along a curve to the right, having a radius of 426.06 feet and a chord distance of 62.58 feet, an arc distance of 62.64 feet to a point of compound curvature; thence along a curve to the right, having a radius of 891.04 feet and a chord distance of 321.47 feet, an arc distance of 323.24 feet to a point of reverse curvature; thence along a curve to the left, having a radius of 670.00 feet and a chord distance of 273.29 feet, an arc distance of 275.22 feet to a point on the southeasterly line of the Missouri Pacific Railroad Company right-of-way (varying width); thence north 46 degrees 56 minutes 53 seconds east, along said southeasterly line of the Missouri Pacific Railroad right-of-way, a distance of 139.74 feet to a point of curvature (non-tangent); thence along a curve to the right, having a radius of 700.00 feet, the chord of which bears north 71 degrees 03 minutes 03 seconds east for a distance of 147.56 feet, an arc distance of 147.83 feet to a point of reverse curvature; thence along a curve to the left, having a radius of 861.04 feet and a chord distance of 310.65 feet, an arc distance of 312.36 feet to a point of compound curvature; thence along a curve to the left, having a radius of 396.06 feet and a chord distance of 58.17 feet, an arc distance of 58.23 feet to a point of tangency; north 47 degrees 53 minutes 31 seconds east, a distance of 139.87 feet to the point of beginning, as prepared from a survey performed during January and February 1994 and calculations performed by Kenneth Balk & Associates, Inc. during December 1994. are, upon the conditions hereinafter set out, vacated.

SECTION TWO: Petitioner is Anheuser-Busch, Incorporated (together with its successors and assigns is hereinafter referred to as "owner"). Vacation will allow access to the waste water pretreatment facility and future industrial expansion by owner.

SECTION THREE: The City hereby reserves unto the utilities, governmental service entities and franchise holders the right to maintain, repair and replace their existing facilities within the vacated right-of-way.

SECTION FOUR: The owners of the land may, at their election and expense, remove the surface pavement, curbs and related improvements of said so vacated right-of-way provided however, all utilities within the right-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

SECTION FIVE: The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation thereof within the right-of-way for purposes associated with the

maintenance, construction or planning of existing facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

SECTION SIX: The owners shall not place any improvement upon, over or in the land traversed by the vacated right-of-way without a lawful permit from the City and written consent of the utilities, governmental service entities and franchise holders, present or future; and such consent together with the terms and conditions thereof shall be filed in writing with the Board of Public Service and approved by such Board prior to the undertaking of any such construction concerning the vacated right-of-way.

SECTION SEVEN: The owner may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

SECTION EIGHT: In the event that granite curbing or cobblestones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified and it in turn will remove said curbing or cobblestones at the current removal price.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
02/16/96	02/16/96	STR		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
02/23/96			03/01/96	03/08/96
ORDINANCE	VETOED		VETO OVR	
63691				